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### Amendments to the Drawings

The replacement sheets of drawings attached hereto as **Exhibit A** include changes to, and replace, Figs. 1, 4, 11, 25, and 26 of the original sheets of drawings. Figs. 1, 4, 11, 25, and 26 are being amended to correct omissions and typographical errors resulting from unintentional errors during translation to English.

In Fig. 1, stroke sensor 3a (and label thereof) and rotation angle sensor 3b (and label thereof) have been included at the end of actuator rod 3 near actuator 2. Actuator control unit (ACU) 2a (and label thereof) has also been included. Arrows from 3a to 2a, from 3b to 2a, and from 2a to 2 have been included. A shift lever 2b has been schematically shown as a box within actuator 2. Support can be found in paragraphs [0058] and [0059] of the published application US 2007/0142153 A1, where items 2a, 3a and 3b and their functions are discussed, and paragraph [0066] as amended hereby.

In Fig. 4, the same changes have been made as in Fig. 1, based on the same example of support. In particular, stroke sensor 3a (and label thereof) and rotation angle sensor 3b (and label thereof) have been included at the end of actuator rod 3 near actuator 2. Actuator control unit (ACU) 2a (and label thereof) has also been included. Arrows from 3a to 2a, from 3b to 2a, and from 2a to 2 have been included.

Step "S214" of Fig. 11 has been amended from "determination of requested shift position" to "actuator control". Support can be found in paragraphs [0096] and [0098], where the operation of "actuator 2 being controlled" is associated with step S214.

Fig. 25 has been amended to include step labels. Specifically, "setting of rotation angle  $\Theta$ ..." has been labeled "S300"; "setting of sliding measurement S..." has been labeled "S302"; " $\Theta_p \leftarrow \Theta_S$ " has been labeled "S304"; and "actuator control" has been labeled "S306". Support can be found in paragraphs [0103] through [0105].

Fig. 26 has been amended to include step labels. Specifically, "reading-in of requested shift position" has been labeled "S500"; "what is requested shift position?" has been labeled "S502"; "setting of sliding measurement S,  $S = S_0$ " has been labeled "S504"; "setting of sliding measurement S,  $S = -S_0$ " has been labeled "S506"; "setting of sliding measurement S,  $S = 2S_0$ " has been labeled "S508"; and "actuator control" has been labeled "S510". Support can be found in paragraphs [0172] through [0174].

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Attachment: four replacement sheets of drawings for Figs. 1, 4, 11, 25, and 26

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### REMARKS

The application has been reviewed in light of the Office Action dated January 29, 2009. Claims 1, 3-6 and 9-18 were pending in the subject application. Claim 15 is canceled by this Amendment without prejudice or disclaimer, as claims 2, 7, 8, 12 were previously canceled.

Claims 1, 3-6, 9-14 and 16-18 are amended hereby and are the claims remaining in this application, with claims 1 & 6 being in independent form.

#### **Specification**

The Abstract has been amended to conform with the requirement stated in the Office Action.

In addition, a correction has been made in page 7 of the original specification to identify the shift lever by the reference numeral 2b and to account for the fact that it is shown in Fig. 1 as amended hereby.

#### **Claim Rejections – 35 USC § 112**

The pending claims have been carefully reviewed and are being amended hereby in an effort to ensure that they comply with the requirements of Section 112, paragraph 2.

#### **Double Patenting**

Claim 15 has been canceled, thereby removing the possibility of double patenting with any of claims 5, 11 and 18. It is submitted that claims 5, 11 and 18, as amended, differ substantively from each other and do not raise double patenting issues with respect to each other.

#### **Allowable Subject Matter**

Applicant appreciates the finding that claims 1, 3, 4, 6, 9, 10 and 12-18 would be allowable if amended to overcome the rejections under Section 112, second paragraph, and submits that such amendments have been made to place these claims in condition for allowance.

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Further, applicant submits that as amended the remaining pending claims, namely claims 5 and 11, also are in condition for allowance.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any required fees in connection with this amendment, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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